

UNITED STATES District Court
EASTERN District of California

Yuriy Vasilchuk

v


J. Doer et al..

NO 1:25-CV-00792 JLT-SAB

FILED

OCT 20 2025

Response to Findings & Recommendations

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY  DEPUTY CLERK

NOW COMES Yuriy Vasilchuk proceeding PRO SE BECAUSE he is indigent AND cannot find an attorney to work for free. The Responses that I have received from attorneys all agree that there is NO money in it AND there is a deep bias against prisoners.

I don't know how to file these things. I am asked to fill out a form that solicits answers to questions and then you tell me I did it wrong. I've spent what limited time I could in the law library trying to understand all of this. I don't know why I am stuck with this BIVENS framework that seems impossible to satisfy. It is obvious to me that magistrate Boone has done every thing he can to ensure the defendants are never served. The challenges that he has raised about exhaustion & failure to state cognizable claim seem to be defenses that the defendant should have raised. The word cognizable is in no dictionary I have access to.

The laws say that my pleadings will be reviewed liberally - AND that what I allege must be taken as truth. Although I did not file objections I did file a one page clarification - where I stated that the complaint filed stands and clarified that I did not ask for monetary damages. So the court's analysis is incorrect. I received NO response to the "clarification" motion.

There ARE over A THOUSAND MEN locked in this prison, WE ARE literally at the mercy of the staff. There is NO oversight. They do what they want - Administrative Remedies are Rubber Stamped - when you can get AN ANSWER from them, maybe thats just what you think people like me deserve. - accepted.

But the issue presented to this Court Here, & filed Separately By 43 prisoners, concerns A very specific abuse of power During A 2 month lock down Between Aug 9 - Oct 9 2024. when WE WERE DENIED Administrative Remedies AND WE WERE DENIED ACCESS to the outside world. It is this Courts Duty & obligation to act. There is NO oversight, the next appropriate action is to RAISE the issue in this Courts.

I WAS locked in A CELL AND ONLY SAW A CORRECTIONS OFFICER when they FEED us OR SHOWED US. These officers TOLD us NOTHING. Mail From our Family & friends stopped coming in & they REFUSED to send our mail out, WE had NO ACCESS to the world or to Communicate with ANYONE. When we ASKED for Administrative Remedies The officers said its not there job & they will pass along the message. When I wrote To my COINSELOR, CASE manager, UNIT manager Trust fund supervisor or medical Department (through internal mail) I got NO RESPONSE. For us this qualifies as A state of emergency. For 2 months WE had NO Administrative Remedies, NO communication with the world, They Confiscated our property & legal material with out due process. They Did not give us Basic sanitation & hygiene supplies - nor would they let us Buy them - WE had NO way to clean the Bathroom we live in or our Bodies. WE WERE denied Basic medical CARE. There was NO DOCTOR Here to Treat us or prescribe medication & there was NO opportunity to ASK to SEE the Doctor who was not HERE.

This Court seem very concerned about the specific Constitutional Violation. I'm not a Lawyer I don't know, But I do know that what I just described in the previous paragraph is a human Rights Violation that DESERVED Attention A Year Ago. The Supreme Court in Egbert Certainly didn't mean

That Congress is Better equipped to Create a damages Remedy". I did NOT ASK for Monetary Damages. I left that up To the Court. I ASKED for immediate intervention & injunction. I JUST NEEDED Help AND WE WANTED to ENSURE that it wouldn't happen Again. INSTEAD we were stuck in a Year long litigation NOT with the defendant but with the Court.

what WE NEEDED is for you To Appoint Counsel, or make an Inquiry yourself. A minor investigation into the Allegations would have proven the Truth of it AND some light suggestions would have remedied the situation. In doing so the staff would think Twice Before Acting in this way. As it Turns out the monitoring of the Documents filed & received From the Court (NOT properly designated as Legal mail) helped a little. The Behavior described in the original answered filing has NOT BEEN Repeated so it appears there is NO NEED to proceed here.

I HAVE TO say that I am shocked to HAVE witnessed this Court Defending the Allegations by the staff at USP ATwater. While you ARE Concerned with Deliberate indifference showings of a serious medical NEED &/or unwanted inflictions of pain, you Completely Overlook the fact that they Completely Denied us medical CARE of any kind there WAS NO way To document a serious medical NEED, NO Treatment to be given, NO Doctor Available. You ARE Concerned with exhaustion when I'm Telling you they intentionally withheld them. IF you don't SEE a Constitutional violation in Being locked in a Bathroom with filth accumulating for 2 months, while you ARE intentionally Deprived of current events & Communications with your family or the Court, after the staff has Confiscated & destroyed your personal property without Cause or Due process, when your legal material was Confiscated & you were Cut off From the Court, while you were Completely ignored, AND had NO access to medical CARE, Then God Bless you.

I object to the manner in which this Court has dealt with this Case. I want it on the Record that your Rulings in this Case

Have effectively blocked my Complaint Filed in this Court by a prisoner. You have abandoned your obligation to protect the limited rights of prisoners and demonstrate a bias that far exceeds the Courts position to disfavor Bureaus Filings. The bias, indifference & disregard for prisoner rights in this case is a stain on this Court, it is outrageous.

I have 1 year left to serve on my sentence & I must concentrate on preparing for release. Because I have neither the time, understanding or stomach to process l.6 this I withdraw the Complaint.

The only way for this Court to Rectify the situation is independently to appoint or commission an investigation into the allegations. These prisoners need to know there is a limit to what they can do.

Sincerely,

10/10/25